



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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U.S. Department of Housing
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Tom Bates
Cities of Alameda County

Bob Blanchard
Sonoma County and Cities

Dean J. Chu
Cities of Santa Clara County

Dave Cortese
Association of Bay Area Governments

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Executive Director
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Deputy Executive Director,
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Therese W. McMillan
Deputy Executive Director, Policy

COMMISSION MEETING

Wednesday, April 23, 2008

Joseph P. Bort MetroCenter Lawrence D. Dahms Auditorium
101 Eighth Street
Oakland, CA 94607

MINUTES

ATTENDANCE

Chair Dodd called the meeting to order at 10:08 a.m. In addition to Chair Dodd, the following Commissioners were present: Azumbrado, Bates, Blanchard, Chu, Cortese, Giacomini, Glover, Haggerty, Halsted, Kinsey, Lempert, Rubin, Sartipi, Sperling, Tissier, Worth and Yeager.

CHAIR'S REPORT

Chair Dodd presented the Chair's report to the Commission and reminded everyone of the upcoming commission workshop scheduled for May 27, 2008 at the Silverado Country Club in Napa, CA along with the commission meeting on May 28th.

Chair Dodd appointed Commission Vice Chair Scott Haggerty and Commissioner Ken Yeager to serve as MTC representatives on the BART to Warm Springs and Silicon Valley Rapid Transit Corridor Policy Committee.

EXECUTIVE DIRECTOR'S REPORT

Steve Heminger presented the Executive Director's report to the Commission. Copies of the report are available from the Executive Office.

CONSENT CALENDAR

The Commission unanimously approved the following items on the Consent Calendar:

- Minutes of the Commission meeting of March 26, 2008.

Programming and Allocations Committee

- Resolution No. 3813, Revised – Revision to the FY 2007-08 State Transit Assistance (STA) Regional Discretionary Program.

- Resolution No. 3532, Revised – Revisions to Short-Range Transit Plan Guidelines.
- Resolution No. 3788, Revised – Revisions to the Lifeline Program of Projects.
- Resolution No. 3811, Revised – Allocation of FY 2007-08 State Transit Assistance funds to BART and Santa Clara VTA for transit purposes.

Draft MTC Standing Committee Minutes

Draft Committee minutes of the following standing committees were presented for information only; they were provided as background information for items that were being taken up by the full Commission.

- Draft Minutes of the Administration Committee Meeting – April 9, 2008.
- Draft Minutes of the Programming & Allocations Committee Meeting – April 9, 2008.
- Draft Minutes of the Planning Committee Meeting – April 11, 2008.
- Draft Minutes of the Legislation Committee Meeting – April 11, 2008.

Draft MTC Advisory Committee Minutes

Draft Advisory Committee minutes were presented for Commission information only.

- Minutes of the Elderly and Disabled Advisory Committee Meeting – April 3, 2008.
- Minutes of the Minority Citizens Advisory Meeting – April 8, 2008.
- Minutes of the Advisory Council Meeting – April 9, 2008.

COMMITTEE REPORTS**Administration Committee – Blanchard**

The Commission unanimously approved the following:

- Resolution No. 3857 – FY 2008-09 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreement for Federal Planning Grants.

Programming & Allocations Committee – Tissier

The Commission unanimously approved the following:

- Resolution Nos. 3664, Revised, 3666, Revised and 3651, Revised - Proposed allocation of \$34.0 million in RM2 Capital funds:
 - \$3.0 million for the construction of the Ardenwood Park and Ride Lot in Southern Alameda County and \$9.2 million for the construction of the I-580 Eastbound HOV Lane Improvement project in the Livermore Valley.
 - Deferred allocation to the Transbay Transit Center in Resolution No. 3651 because of a delay in contract award by the Transbay Joint powers Authority.
- Resolution No. 3723 – Revision to Third Cycle STP/CMAQ Program.
- Resolution No. 3834, Revised – Proposition 1B Transit: FY 2007-08 Round 2 Allocation Requests for Population-based funds.
- Resolution Nos. 3854, Revised, and 3855, Revised - Programming of FTA and AB 664 Funds for BART Railcar Replacement Project. This resolution programs approximately \$25.6 million in FY 2008-09 Federal Transit Administration Section 5307 and Section 5309 Fixed Guideway funds, and \$840,000 in AB 664 Bridge toll funds to BART's Railcar Replacement Project.

Legislation Committee – Rubin

The Commission unanimously approved the following positions for pending legislation:

- Support and Seek Amendment of ACA 10 (Feuer) – Vote Requirements for Transportation Measures.
- Support and Seek Amendment of AB 2870 (DeSaulnier) – California Blueprint Implementation - Commission.

CLOSED SESSION

At 10:29 a.m. Chair Dodd asked that the Commission meet in closed session pursuant to Government Code Section 54956.9(a) to confer with counsel regarding the following litigations: (1) *MTC v. Motorola, Inc.*, U.S. District Court, Northern District, Case No. C-07-15576, United States Court of Appeals for the Ninth Circuit and pursuant to Government Code Section

54956.9(b) and/or (c) regarding anticipated related litigation; and (2) *Darensburg v. MTC*, Case No. C-05-01597 (EDL), U.S. District Court, Northern District.

OPEN SESSION

The Commission reconvened in open session at 11:25 p.m. MTC General Counsel Francis Chin reported that there was no action taken in closed session.

PUBLIC COMMENT/ADJOURNMENT/NEXT MEETING

There being no further business or public comment, Commission Chair Dodd adjourned the meeting at 11:26 a.m. The next Commission meeting is scheduled for Wednesday, May 28, 2008, in Napa, California.

Bill Dodd, Chair